

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, } CR No. CR 10-0632 WHA
Plaintiff, } [PROPOSED] ORDER EXCLUDING
v. } TIME FROM SEPTEMBER 21, 2010
PABLO ONOFRE, } THROUGH SEPTEMBER 28, 2010
DAVID SANDOVAL, and }
STEPHEN RATCLIFF, }
Defendants. }

The parties appeared in Court on September 21, 2010 for an initial appearance on this case. Defendants Sandoval and Ratcliff who are in custody were inadvertently not brought to court but Defendant Onofre who is out of custody was present. The initial appearance was rescheduled for September 28, 2010 at 2:00 p.m so that all the defendants could be present. Counsel for Onofre requested an exclusion of time. Parties stipulated to and the Court ordered the exclusion of time under the Speedy Trial Act from September 21, 2010 up through and including September 28, 2010 for effective preparation of counsel.

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Based upon the parties' representations, and for good cause appearing, THE COURT
ORDERS THAT:

1. Time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 from September 21, 2010 up to and including September 28, 2010 for effective preparation of counsel. Failure to grant the requested continuance would unreasonably deny defense counsel the time necessary for effective preparation, taking into account the exercise of due diligence and the need for counsel to review the discovery with the defendants 18 U.S.C. § 3161(h)(7)(B)(iv).

2. Given these circumstances, the Court finds that the ends of justice served by excluding the period from September 21, 2010 up to and including September 28, 2010 outweigh the best interest of the public and the defendants in a speedy trial 18 U.S.C. § 3161(h)(7)(A).

3. Accordingly, and with the consent of the defendants, the Court orders that the period from September 21, 2010 up to and including September 28, 2010 be excluded from the Speedy Trial Act calculations under 18 U.S.C. §§ 3161(h)(7)(A) & (B)(iv).

DATED: September 27, 2010.


HON. WILLIAM ALSUP
United States District Judge

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